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OFFICE OF PETITIONS

In re Application of
Robert Antonacci et al.
Application No. 09/664,969
Filed: September 16, 2000
Attorney Docket No. 865-002u

DECISION ON PETITION

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed October 31, 2007, to revive the above-identified application.


The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the non-final Office action mailed, June 14, 2006, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on February 15, 2007.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an amendment, (2) the petition fee of \$770; and (3) a proper statement of unintentional delay. Accordingly, the response to the non-final office action of June 14, 2006 is accepted as having been unintentionally delayed. Therefore the RCE is improper and the fee of \$405 is being refunded.

Telephone inquiries concerning this decision should be directed to Tredelle Jackson at (571) 271-272-2783.

This application is being referred to Technology Center AU 2625 for appropriate action on the concurrently filed amendment.


David Bucci
Petitions Examiner
Office of Petitions